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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/878,962	06/13/2001	Roger Michel Helene Bergs	0142-0355P	3480

2292 7590 11/05/2003

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EXAMINER

TRUONG, LECHI

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 11/05/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/878,962

Applicant(s)

BERGS ET AL.

Examiner

LeChi Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 June 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. Claims 1-4, 8-10, 17-25, 28, 33-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb et al (US Patent 5,727,135) in view of Murphy et al (US, Patent 6,076,110).

As to claim 1, Webb teaches at least two processing devices (multiple printer, col 5, ln 1-5/ printer 16, 16', 16'', col 19, ln 1-35/col 22, ln 52-67 to col 23, ln 1-67/ col 24, ln 14-40), a network (network LAN 21, col 5, ln 45-67), a job (NPAP command, col 19, ln 1-35/ message/ print data, col 24, ln 14-40), processing information (NPAP information, col 23,ln 1-67), a user (user, col 7,ln 40-67/col 19, ln 1-35), a predetermined set selected (the alert as being of a particularly type, col 23, ln 1-67), an indication( indicate, col 6, ln 1-67, col 23, ln 1-67, col 24,ln 14-40), presentation( the GUI, col 23, ln 1-67, col 24,ln 14-40), the same is suitable ( the printers available , col 23, ln 1-67, col 4, ln 8-67), at least a part of the job( the job, col 2,ln 10-20).

Webb does not explicit teach the term “ receiving” “ receiving a selection of a processing device”. However, Murphy teaches communicating a device name from client to server (col 13, ln 45-67), reponsive to said device name being available, communicating acceptance over said wide area network from said server to said client (col 13,ln 45-67).

It would have been obvious to apply the teaching of Murphy to Webb in order to provide an improved system, an method for selecting a device for printing to it and to provide a setting client keyboard, code page and character set at a display device creation time.

As to claim 2, Webb teaches printing devices (printers, col 19, ln 1-50).

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**As to claim 3**, Webb teaches a device is not suitable and reason (busy printing, col 2, ln 50-65/ active error, col 23, ln 1-67).

**As to claim 4**, Webb teaches selected by the user (a user, col 4, ln 42-67/ col 7, ln 40-67 col 23, ln 1-67).

**As to claim 8**, Webb teaches the selected processing device (the printer available, col 23, ln 54-670, the presentation (screen, col 23, ln 54-67).

**As to claim 9**, Webb teaches a confirmation (indicated, col 23, ln 1-67), a selection of a processing device (the selected printer is available, col 2, ln 1-20), the job (the job, col 2, ln 1-20), the selected device (the printer, col 2, ln 1-20).

**As to claim 10**, Webb teaches confirmation of the selection is received from the user (the user with some capability to monitor and control a remote printer, col 1, ln 50-65/ the a user at a host to visually monitor the status of multiple printers at the same time from the same host display (col 4, ln 65-67 to col 6, ln 1-5).

**As to claim 17**, Webb teaches indication via the presentation means separately (button 303, 304, and 305 corresponding to printer 16, 16', 16'', col 19, ln 17-55).

**As to claim 18**, Webb teaches at least two processing devices (multiple printer, col 5, ln 1-5/ printer 16, 16', 16'', col 19, ln 1-35/ col 22, ln 52-67 to col 23, ln 1-67/ col 24, ln 14-40), a network (network LAN 21, col 5, ln 45-67), a job (NPAP command, col 19, ln 1-35/ message/ print data, col 24, ln 14-40), processing information (NPAP information, col 23, ln 1-67), a user (user, col 7, ln 40-67/ col 19, ln 1-35), a predetermined set selected (the alert as being of a particularly type, col 23, ln 1-67), an indication( indicate, col 6, ln 1-67, col 23, ln 1-67, col 24, ln

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14-40), presentation( the GUI, col 23, ln 1-67, col 24,ln 14-40), a device is not suitable and reason( busy printing, col 2, ln 50-65/ active error, col 23, ln 1-67).

Webb does not explicit teach the term “receiving” “receiving a selection of a processing device”. However, Murphy teaches communicating a device name from client to server (col 13, ln 44-67).

It would have been obvious to apply the teaching of Murphy to Webb in order to provide an improved system , an method for selecting a device for printing to it and to provide a setting client keyboard, code page and character set at a display device creation time.

**As to claim 19**, Webb teaches the reason (ready, col 2, ln 38-67), the processing device (the printer, col 2, ln 38-67), a user (a graphic user interface, col 2, ln 38-67).

**As to the method of claim 20**, see the rejection of claim 2.

**As to claim 21**, Webb teaches at least two processing devices (multiple printer, col 5, ln 1-5/ printer 16, 16', 16'', col 19, ln 1-35/col 22, ln 52-67 to col 23, ln 1-67/ col 24, ln 14-40), a network (network LAN 21, col 5, ln 45-67), a job (NPAP command, col 19, ln 1-35/ message/ print data, col 24, ln 14-40), processing information (NPAP information, col 23,ln 1-67), a user (user, col 7,ln 40-67/col 19, ln 1-35), a predetermined set selected (the alert as being of a particularly type, col 23, ln 1-67), an indication( indicate, col 6, ln 1-67, col 23, ln 1-67, col 24,ln 14-40), presentation( the GUI, col 23, ln 1-67, col 24,ln 14-40), the same is suitable ( the printers available , col 23, ln 1-67, col 4, ln 8-67). Webb does not explicit teach the term research. However, Webb teaches looks for the printers, col 11, ln 50-67). It would have been obvious to apply the teaching of Webb for the purpose to research in order to perform a number of tasks relating to a printer located anywhere on the network.

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**As to a system of claim 22, 23, 24** see the rejection of claim 4.

**As to claim 25**, Webb teaches allocation means are controllable by a user ((the user with some capability to monitor and control a remote printer, col 1, ln 50-65/ the a user at a host to visually monitor the status of multiple printers at the same time from the same host display (col 4, ln 65-67 to col 6, ln 1-5).

**As to claim 28**, Webb teaches the presentation (an icon, col 2, ln 27-67).

**As to the system of claim 33**, see the rejection of claim 9.

**As to the claim 34**, Webb teaches second indicating ... processing device belonging to the set is suitable for performing the job (the printers available to the host are indicated on screen, col 23, ln 25-67).

**As to the system of claim 35**, refer to the rejection of claim 4. Further, Webb teaches processing devices (multiple printer, col 5, ln 1-5/ printer 16, 16', 16'', col 19, ln 1-35/col 22, ln 52-67 to col 23, ln 1-67/ col 24, ln 14-40), a job (NPAP command, col 19, ln 1-35/ message/ print data, col 24, ln 14-40), processing information (NPAP information, col 23,ln 1-67), a user (user, col 7,ln 40-67/col 19, ln 1-35), a predetermined set selected (the alert as being of a particularly type, col 23, ln 1-67), an indication (indicate, col 6, ln 1-67, col 23, ln 1-67, col 24,ln 14-40), presentation( the GUI, col 23, ln 1-67, col 24,ln 14-40), suitable ( the printers available , col 23, ln 1-67, col 4, ln 8-67). Webb does not explicit teach the term research. However, Webb teaches looks for the printers, col 11, ln 50-67). It would have been obvious to apply the teaching of Webb for the purpose to research in order to perform a number of tasks relating to a printer located anywhere on the network.

**As to the system of claim 36**, refer to the rejection of claim 24. Further, Webb teaches the same (multiple at the same time, col 5, ln 1-10).

**As to the system of claim 37**, see the rejection of claim 2.

**As to the computer program element of claim 38**, refer to the rejection of claim 1. Further, Webb teaches a processor (processor 60, fig.2)

**As to the computer program element of claim 39**, refer to the rejection of claim 18. Further, Webb teaches a processor (processor 60, fig. 2).

2. Claims **5-7, 26, 27, 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb et al (US Patent 5,727,135) in view of Murphy et al (US, Patent 6,076,110) and further in view of Admitted Prior Art (APA).

**As to claim 5**, Webb teaches the user (user, col 4, ln 42-67/ col 7,ln 40-67col 23,ln 1-67).

Webb does explicitly teach a part of job (a job ticket content required setting, page 1, ln 10-22).

It would have been obvious to apply the teaching of APA to Webb in order to provide an order for processing information.

**As to claim 6**, Webb does not teach a setting of the job. However, APA teaches the job setting (page 1, ln 10-22).

It would have been obvious to apply the teaching of APA to Webb in order to provide an order for processing information.

**As to claim 7**, Webb teaches the user simultaneously ... via the presentation ( a user at a host to visually monitor the status of multiple printers at the same time from the same host display( col 4, ln 65-67 to col 6, ln 1-5).

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**As to claim 26**, Webb teaches display of job (display list jobs, col 2, ln 27-67).

Webb does explicit teach a part of job( a job ticket content required setting, page 1, ln 10-22).

It would have been obvious to apply the teaching of APA to Webb in order to provide an order for processing information.

**As to the system of claim 27**, see the rejection of claim 6.

**As to the system of claim 29**, see the rejection of claim 7.

3. Claims **11-16, 30, 31, 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb et al (US Patent 5,727,135) in view of Murphy et al (US, Patent 6,076,110) and further in view of Takeshita (Display device for printer selecting criterion)

**As to claim 11**, Webb teaches a prediction (determine, col 23, ln 1-67), a change from the predicted selection ... from the user, the display is updated to properly indicate error status of printer, col 23, ln 1-67).

Webb does not explicit teach the criterion. However, Takeshita teaches selection criterion (page 1).

It would have been obvious to apply the teaching of Takeshita to Webb in order to obtain the positional information, printing quality information and printing queuing information regarding plural printers.

**As to claim 12, 13, 14, 15, 16**, Webb does not explicit teach the criterion are a processing property of the processing device, a distance, availability of processing device, the processing cost, a previously indicated. However, Takeshita teaches printer time, a distance, an information



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processor, the printer quality information, and their relation as the comprehensive selection criterion of the printer (page 1).

It would have been obvious to apply the teaching of Takeshita to Webb in order to obtain the positional information, printing quality information and printing queuing information regarding plural printers.

**As to the system of claim 30**, see the rejection of claim 11.

**As to the system of claim 31**, see the rejection of claim 12,13,14,15, 16.

**As to claim 32**, Webb teaches user (user, col 19, ln 1-60), the selection (selected, col 19, ln 1-60).

4.

#### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

The fax phone numbers for the organization where this application or proceeding is assigned are 5T 01 for regular communications and none for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 9000.

LeChi Truong  
October 31, 2003



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